

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**HARTFORD ACCIDENT AND INDEMNITY )  
COMPANY, HARTFORD FIRE INSURANCE )  
COMPANY, AND TWIN CITY FIRE )  
INSURANCE COMPANY, )**

**Plaintiffs,**

**v.**

**FFP HOLDINGS LLC, )  
OHIO DECORATIVE PRODUCTS, LLC, )  
MOELLER CONSTRUCTION COMPANY, )  
MOELLER LAND & CATTLE COMPANY, INC., )  
GREAT AMERICAN ALLIANCE INSURANCE )  
COMPANY, WESTCHESTER FIRE )  
INSURANCE COMPANY, OHIO )  
CASUALTY INSURANCE COMPANY, )  
SWISS REINSURANCE AMERICA )  
CORPORATION, CONTINENTIAL )  
CASUALTY COMPANY, )  
AND DOE COMPANIES )  
1 THROUGH 5, )**

**Defendants.**

**Case No. 3:15-cv-00377-JJH**

**Judge Jeffrey J. Helmick**

**STIPULATION TO SUBSTITUTE AND DISMISS**

Plaintiffs Hartford Accident and Indemnity Company (“Hartford Accident”), Hartford Fire Insurance Company (“Hartford Fire”), and Twin City Fire Insurance Company (“Twin City”) (collectively, “Hartford”) and Defendant Swiss Reinsurance America Corporation (“Swiss”) hereby stipulate as follows:

1. Counsel for Swiss has advised counsel for Hartford that Swiss is not the entity that issued the policies alleged in Paragraph 13 of the Amended Complaint (Docket No. 15) and that those policies were in fact issued by First Specialty Insurance Corporation (“FSIC”).

2. FSIC is a Missouri corporation having its principal place of business in Overland Park, Kansas, and its inclusion as a defendant in this action will not affect the diversity of citizenship between plaintiffs and defendants.

3. Hartford and Swiss therefore stipulate that Swiss may withdraw its appearance in this matter, that FSIC may be substituted in its place, that FSIC may be substituted in the caption for Swiss, and that Swiss may be dismissed without prejudice as a defendant in this matter.

HARTFORD ACCIDENT AND INDEMNITY  
COMPANY, HARTFORD FIRE  
INSURANCE COMPANY, and TWIN CITY  
FIRE INSURANCE COMPANY

SWISS REINSURANCE AMERICA  
CORPORATION, and FIRST SPECIALTY  
INSURANCE CORPORATION

/s/ Stuart J. Goldberg

Stuart J. Goldberg  
Eastman & Smith  
One SeaGate, 24<sup>th</sup> Floor  
P.O. Box 10032  
Toledo, OH 43699  
(419) 247-1623  
Fax: (419) 247-1777  
[SJGoldberg@EastmanSmith.com](mailto:SJGoldberg@EastmanSmith.com)

Wayne S. Karbal  
Alan M. Posner  
Karbal, Cohen, Economou, Silk & Dunne,  
LLC  
150 S. Wacker Drive, Suite 1700  
Chicago, IL 60606  
(312) 431-3700  
Fax: (312) 431-3670  
[wkarbal@karballaw.com](mailto:wkarbal@karballaw.com)  
[aposner@karballaw.com](mailto:aposner@karballaw.com)

/s/ Cormac B. DeLaney

Cormac B. DeLaney  
Manahan, Pietrykowski, DeLaney &  
Wasielewski  
414 N. Erie Street  
P.O. Box 2328  
Toledo, OH 43603  
(419) 243-6148  
Fax: (419) 241-7759  
[cdelaney@mpdwlaw.com](mailto:cdelaney@mpdwlaw.com)

Adam H. Fleischer  
Ellen J. Zabinski  
BatesCarey LLP  
191 N. Wacker Drive  
Suite 2400  
Chicago, IL 60606  
(312) 762-3100  
Fax: (312) 762-3200  
[afleischer@batescarey.com](mailto:afleischer@batescarey.com)  
[ezabinski@batescarey.com](mailto:ezabinski@batescarey.com)

So Ordered.

S/ Jeffrey J. Helmick  
United States District Judge